

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Victor Demitrius Cole,

Civ. No. 24-2148 (PAM/JFD)

Plaintiff,

v.

**ORDER**

United States Marshals Service,

Defendant.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge John F. Docherty dated November 21, 2024. (Docket No. 27.) The R&R recommends denying without prejudice Plaintiff Victor Demitrius Cole’s Motion for Default Summary Judgment. Plaintiff did not file any objections to the R&R, and the time to do so has passed. D. Minn. L.R. 72.2(b)(1).

This Court must review de novo any portion of an R&R to which specific objections are made, but in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge’s reasoning.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R (Docket No. 27) is **ADOPTED**; and
2. Plaintiff's Motion for Default Summary Judgment (Docket No. 16) is  
**DENIED without prejudice.**

Dated: January 10, 2025

*s/ Paul A. Magnuson*

Paul A. Magnuson

United States District Court Judge